



OFFICE OF THE  
**BOARD OF SELECTMEN**  
**TOWN OF MAYNARD**

MUNICIPAL BUILDING  
195 MAIN STREET

MAYNARD, MASSACHUSETTS 01754

Tel: 978-897-1301 Fax: 978-897-8457

**Selectmen's  
Meeting Minutes  
Tuesday, December 2, 2014  
Room 201, Town Hall  
Time: 7:00 pm**

**Board of Selectmen**

**Present: Acting Chair Jason Kreil, Selectman David Gavin, Selectman Chris DiSilva, Selectman Tim Egan, Town Administrator Kevin Sweet, Assistant Town Administrator Andrew Scribner-MacLean and Admin. Assistant Becky Mosca. Absent Selectman Bill Cranshaw.**

**(This public meeting was recorded).**

**Pledge of Allegiance**

**Public Comments – no comments**

**Acceptance of Minute November 18, 2014**

Board requested to hold off, member needed to read.

**List of Correspondences (mail to the Selectmen's Office for December 2, 2014).**

- a) Library monthly report, October 2014
- b) DPW monthly report, September & October 2014
- c) Updated list of Board of Selectmen Liaisons to Board and Committees.
- d) Notice of meeting, Community Preservation
- e) Notice of meeting, ConsCom, Nov. 20, 2014, Dec 1, 2014
- f) Notice of meeting, Finance Committee, Nov. 24, 2014
- g) Notice of meeting, Economic Development Committee, Dec. 2, 2014
- h) Notice of meeting, Board of Health, Nov. 25, 2014
- i) Letter from Governor Deval Patrick, dated Nov 18, 2014
- j) Letter from Comcast, dated Nov. 19, 2014
- k) Letter from Comcast, dated Nov. 18, 2014 rates and information
- l) Fiscal 2015 TAX LEVY LIMITATION FOR MAYNARD
- m) Parking Enforcement, dated Nov 20, 2014
- n) Boys & Girls Club, reminders dated Nov 20, 2014
- o) Maynard on-call Engineer, Wayne Amico, 9/30/14 – 10/23/14
- p) Planning Board memo, dated 11/21/14 BOS request to review potential zoning changes- NBOD
- q) DEP letter, dated 10/30/14 JA/Skylight

- r) Verizon letter received 11/18/2014
- s) Notice, Holiday Sip & Stroll, Saturday, Dec. 6, 2014 6-8pm Downtown Maynard
- t) Notice, 25<sup>th</sup> Annual "A Christmas Pops" with Maynard Community Band 12/17/14

**A motion was made** by Selectman Gavin to accept the list of correspondences **A-T** as listed in the agenda. Second by Selectman Egan. Vote 4-0. Motion approved.

Consent agenda;

License renewals 2015; Common Victualler, Entertainment, Liquor Licenses, Class I, Class II, Livery, Automatic Amusements.

**A motion was made** by Selectman Gavin to accept and amend the consent agenda, add Morey's Tavern 27 Main Street with the 2015 renewal licenses. Second by Selectman Egan. Vote 4-0. Motion approved.

**Appointment;** Cultural Council – Tim Hess

Tim Hess commented that he was interested in serving the Town of Maynard on the Cultural Council. Tim is architect, with a business in CTP and has a background in the arts.

**A motion was made** by Selectmen Gavin to accept and approve the appointment for Tim Hess to the Cultural Council term June 30, 2015. Second by Selectman DiSilva. Vote 4-0. Motion approved.

#### **7:15 PM Public Hearing; Liquor violation**

#### **LEGAL NOTICE**

Notice is hereby given in accordance with Mass. General Law, Chapter 138 as amended, that a Public Hearing will be held on Tuesday December 2, 2014 at 7:15 P.M. in Room MJG. At the Maynard Town Building on alleged violations of Alcohol Beverage Rules and Regulations, "Hours of Operation" at Pleasant Cafe Inc. 32-36 Main Street, Maynard MA. This occurred on October 26, 2014 the result of a complaint call to Maynard Police Department.

#### **Local Licensing Authority**

**David Gavin**

**Jason Kreil**

**William Cranshaw, Chairman**

**A motion was made by** Selectman Gavin to open the public hearing. Second by Selectman DiSilva. Vote 4-0. Motion Approved

Discussion with Board, Chief DuBois and Licensee talked over the hour of the incident. The incident happened on Main Street and not inside the premise. The closing time is 1:00 am per the Local Licensing Authority Rules and Regulations for Maynard. The Licensee per the rules is to be off premise by 1:15 am and not still inside premises. Licensee will correct his time of closing.

**A motion was made by** Selectman Gavin with no formal action beyond this hearing for alleged violations of “Hours of Operation”. Second by Selectman DiSilva. Vote 4-0. Motion approved.  
**A motion was made by** Selectman Gavin to close the public hearing. Second by Selectman Egan. Vote 4-0. Motion Approved

### **Restaurant All Alcohol License Renewal Discussion**

In attendance at meeting; Attorney, Andrew Upton for Carron Restaurant Group and Nicholas Leo. Mr. Upton made the request to have the liquor license renewal and to set the date to have a transfer of location. Paperwork was delivered to OMS in the middle of November. Board not in full agreement.

#### **a) Carron Restaurant Group, LLC. DBA Peyton’s, 86 Powdermill Road**

Owner has submitted application for license renewal and a license transfer to 129 Parker Street for new proposed restaurant operation. Transfer hearing has not been scheduled at this time. Owner was given notice BOS does not intend to renew license.

To be continued on December 16, 2014.

In attendance from Saini Enterprises; Jaswant Singh, owner of business and building. He discussed with board his need to find a new cook. Once he has the new cook up and trained, he will open back up his restaurant.

#### **b) Saini Enterprises, Inc. DBA Savoring Indian Cuisine 180 Main Street**

License may be renewed and owner given official notice that they need to appear before BOS by the first meeting in June 2015 and provide an update to the Board. At that time, the license could be revoked if not satisfied with status.

**A motion was made by Selectman Gavin** to approve and grant this license renewal until December 31, 2015 with the restriction to be back in operation by June 30, 2015 or the license will be revoked at that time. Second by Selectman Egan. Vote 4-0. Motion approved.

**A motion was made by** Selectman DiSilva to approve the Common Victualler license for Saini Enterprises, Inc. DBA Savoring Indian Cuisine 180 Main Street. Second by Selectman Gavin. Vote 4-0. Motion approved.

**A motion was made by** Selectman DiSilva to approve the Entertainment license for Saini Enterprises, Inc. DBA Savoring Indian Cuisine at 180 Main Street. Second by Selectman Gavin. Vote 4-0. Motion approved.

### **Request; Form 43 Early opening on Sundays, 10:00 am “Change of Hours”**

**A motion was made by** Selectman Kreil to accept and approve the Change of Hours for the following; Arvind Urmila Corporation d/b/a The Corner Store at 49 Walnut Street and TRP Corporation d/b/a Bud’s Variety at 180 Main Street. Second by Selectman Gavin. Vote 4-0. Motion approved.

## **BOS Hiring Process for Appointed Positions**

Discussion with Chief DuBois and Board.

Board does not want to relieve themselves of the Town Charter duties. (Board of Selectmen appointing authority). Board represents the citizens and wants to be involved with the hiring process. Chief welcomes any member of the Board to be involved with the process going forward. Chief has a draft policy. Department is working on accreditation and is working on policies for Police as part of the accreditation.

## **Discussion of Coolidge School Re-Use**

Jack MacKeen presented a request to establish a Coolidge Reuse Committee. Committee to have a charge to end by June 30, 2015. Jack is not interested in putting money into the building but rather looking at options for possibly a Historical Preservation Restriction and selling the property.

## **Draft – Coolidge School Re-use Task Force Charter**

Historical Commission would like to see the building preserved, wants to participate and will be a resource

Report a recommended course of action to BOS no later than (date certain)

Describe the state of restrictions currently applicable, i.e., none

Possible task force representation. A preliminary list was submitted by Jack MacKeen as a starting point, representation will be determined based on availability and member interest.

TA, Kevin Sweet will send out notice looking for candidates to be on this Coolidge School Re-Use Task Force and be the appointing Authority. Ending Term June 30, 2015.

**A motion was made by** Selectman Gavin to approve a committee for Coolidge School Re-Use Task Force. Second by Selectman DiSilva. Vote 4-0. Motion approved.

## **Planning Board Response and Clarification, 129 Parker Street**

Discussion with Kevin Calzia, PB Chair and Town Planner Bill Nemser.

BOS member Gavin requested to have the Planning Board evaluate zoning uses proposed by the 129 adhoc committee to determine feasibility and impact. The Town should drive a site plan that we can have for this site when and if the developer and or owner comes back to us.

K Calzia asked if this is a reuse of the NBOD. – D Gavin, yes. J. Kreil commented not to limit the use to one area but to try to keep some focus. C. DiSilva asked when we should reach out and try to work with Owner and Developer? K. Estabrook that the Ad-Hoc Committee did work with the Developer but the Developer elected to submit an alternative plan.

Planning Board agreed to start this process evaluating the feasibility of updating the Zoning Use table and to keep the BOS apprised.

## **Economic Development updates**

TA, Kevin Sweet.

- ❖ November 19<sup>th</sup>, Peg Barringer of FinePoint Associates discussed her work exploring Downtown Maynard is potential to further grow as a food, culture and entertainment destination. Video available on EDC page
- ❖ Chamber of Commerce and MBA Joint Coffee Connections, Nov. 21, 2014, 7:30 am at Town Hall, we had 40 plus guests.
- ❖ Chamber of Commerce event Friday, Dec 5, 2014 at 11:45 am at Fine Arts Theater Place, Ribbon Cutting and Grand Opening.
- ❖ Paint –n-Pour closing as of December 31, 2014 (Main Street business)
- ❖ Methodist Property at 2 Summer Street for sale – List \$500,000.00
- ❖ EDC seeking defined expectations from BOS – Developing prioritization. Will be at next BOS meeting Dec 16, 2014

### **FY16 Budget Update – Tabled.**

Sel. Gavin asked if, now time is when we should or could start working on Bill Cranshaw request to the budget, TA, K. Sweet yes, we have removed \$200,000.00 from the revenue to start, though it is not the \$250,000.00 Bill Cranshaw has requested.

### **TA, Kevin Sweet;**

- Events, the 3<sup>rd</sup> Annual Holiday Sip & Stroll Saturday, Dec 6<sup>th</sup> @ 6pm – 8pm and 48<sup>th</sup> Annual Holiday Parade on Sunday, Dec 7<sup>th</sup> @ 2pm Note this forms at CTM parking lot across from St. Bridget's Church.
- Corrective, Progressive Discipline Training for Supervisor's: Meditrol, Inc. held Nov. 20<sup>th</sup>
- NStar Emergency Response Plan Review meeting with Emergency Planning Team, Nov 24<sup>th</sup>
- Street Light LED Upgrades anticipate being completed by end of week. All the mains completed & Vose Hill Area/Old Marlboro Rd and Tobin Drive.
- Amendment to Wheelabrator Millbury Waste Disposal Agreement next BOS meeting will send out additional information
- MacDonald Development Attorney requested to appear at the BOS meeting on December 16<sup>th</sup> to settle the matter at Parker/Waltham St. If we can reach an agreement, it will be submitted to the court as an Agreement for judgment. In that case, if he fails to comply with the Judgment, we can file a Complaint for Contempt with the Superior Court. BOS requested a copy of the original agreement
- Gregg Lefter, Facilities Manager Resignation effective December 31th

### **New/Old Business:**

Selectman Gavin:

- Best wishes to Bill on his recovery.

Selectman Kreil: - none

Selectman Egan

- CPC Training outreach with Stuart Saginor, trends and best practices from across the state. Well attended by other communities.

Selectman DiSilva -

- Gregg Lefter, please let him know that on last Wednesday's storm a couple of young people fell in the parking lot at Maynard Golf Course. We really need to keep that sanded and clear if we plan to use for our seniors. It is a concern.

**A motion** to adjourn the meeting was made by Selectman Gavin. Second by Selectman DiSilva. Vote 4-0. Motion approved.

Time: 10:20 pm

Approved: 12/16/14

Date: 12/17/14

*Jason Kreil*

Selectman, Jason Kreil, Clerk

Initials: BJM